

U.S. District Court
Northern District of Texas (Dallas)
CIVIL DOCKET FOR CASE #: 3:18-cv-01195-BK

Okeayainneh v. United States Department of Justice et al
Assigned to: Magistrate Judge Renee Harris Toliver
Cause: 05:552 Freedom of Information Act

Date Filed: 05/10/2018
Jury Demand: None
Nature of Suit: 550 Prisoner Pet/Other:
Civil Rights
Jurisdiction: Federal Question

Plaintiff

Julian Okeayainneh

represented by **Julian Okeayainneh**
#20515112
BOP Oakdale FDC
PO Box 5010
Oakdale, LA 71463
PRO SE

V.

Defendant

United States Department of Justice
*Executive Offices of the United States
Attorneys, Freedom of Information and
Privacy Staff*

represented by **Lisa Robin Hasday–DOJ**
US Attorney's Office
1100 Commerce St
3rd Floor
Dallas, TX 75242
214–659–8737
Fax: 214–659–8807
Email: lisa.hasday@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

National Personnel Records Center
TERMINATED: 09/27/2018

represented by **Lisa Robin Hasday–DOJ**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Office of Personnel Management

represented by **Lisa Robin Hasday–DOJ**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/10/2018	<u>1</u>	New Case Notes: A filing fee has not been paid. CASREF case referral set and case referred to Magistrate Judge Toliver (see Special Order 3). Initiating documents received by mail. No prior sanctions found. (For court use only – links to the <u>national</u> and <u>circuit</u> indexes.) Pursuant to Misc. Order 6, Plaintiff is provided the Notice of Right to Consent to Proceed Before A U.S. Magistrate Judge (Judge Toliver). Clerk to provide copy to plaintiff if not received electronically. (mcrd/ala) (Entered: 05/10/2018)
05/10/2018	<u>2</u>	Notice and Instruction to Pro Se Party. (mcrd/ala) (Entered: 05/10/2018)
05/10/2018	<u>3</u>	COMPLAINT For Injunctive and Declaratory Relief against National Personnel Records Center, United States Department of Justice filed by Julian Okeayainneh. Unless exempted, attorneys who are not admitted to practice in the Northern District of

		Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (mcrd/ala) (Entered: 05/10/2018)
05/10/2018	<u>4</u>	MOTION for Leave to Proceed in forma pauperis with certificate of trust account filed by Julian Okeayainneh. (mcrd/ala) (Entered: 05/10/2018)
05/10/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:1,2. Thu May 10 16:45:16 CDT 2018 (crt) (Entered: 05/10/2018)
06/07/2018	<u>5</u>	Order granting Motion to Proceed <i>In Forma Pauperis</i> and assessing a partial filing fee in the amount of \$43.00 with a balance of \$307.00 remaining. Clerk to mail this order to the attention of the Inmate Trust Fund Department at the facility where the inmate resides. No process will issue pending completion of screening. (Ordered by Magistrate Judge Renee Harris Toliver on 6/7/2018) (chmb) (Entered: 06/07/2018)
06/07/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:5. Certified copy mailed to Inmate Trust Account @ BOP Seagoville Thu Jun 7 15:33:08 CDT 2018 (crt) (Entered: 06/07/2018)
06/20/2018	<u>6</u>	ORDER: The Clerk of the Court is now directed to issue summons. The U.S. Marshal is directed to serve the summons and copies of the complaint on the defendant and file a return of service in the case pursuant to FED. R. CIV. P. 4(c). (Ordered by Magistrate Judge Renee Harris Toliver on 6/20/2018) (rekc) (Entered: 06/21/2018)
06/21/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:6. Thu Jun 21 09:00:08 CDT 2018 (crt) (Entered: 06/21/2018)
06/21/2018	<u>7</u>	Summons issued as to National Personnel Records Center, United States Department of Justice, U.S. Attorney, and U.S. Attorney General. (rekc) (Entered: 06/21/2018)
06/21/2018	<u>8</u>	Business Reply Card signed by USMS; re <u>6</u> Order, <u>3</u> Complaint, <u>5</u> Order For Partial Filing Fee, <u>7</u> Summons Issued. Signed on 6/21/2018. (rekc) (Entered: 06/21/2018)
08/01/2018	<u>9</u>	NOTICE of Attorney Appearance by Lisa Robin Hasday–DOJ on behalf of National Personnel Records Center, United States Department of Justice. (Filer confirms contact info in ECF is current.) (Hasday–DOJ, Lisa) (Entered: 08/01/2018)
08/01/2018	<u>10</u>	ANSWER to <u>3</u> Complaint, filed by National Personnel Records Center, United States Department of Justice. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms and Instructions found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Hasday–DOJ, Lisa) (Entered: 08/01/2018)
08/01/2018	<u>11</u>	MOTION to Substitute Party filed by National Personnel Records Center with Brief/Memorandum in Support. (Hasday–DOJ, Lisa) (Entered: 08/01/2018)
08/01/2018	<u>12</u>	CERTIFICATE OF INTERESTED PERSONS/DISCLOSURE STATEMENT by National Personnel Records Center, United States Department of Justice. (Hasday–DOJ, Lisa) (Entered: 08/01/2018)
08/07/2018	<u>13</u>	Notice of Option to Consent to Proceed Before the Magistrate Judge. The parties are required to complete and return the enclosed form to the clerk. (Ordered by Magistrate Judge Renee Harris Toliver on 8/7/2018) (mcrd) (Entered: 08/08/2018)
08/07/2018	<u>14</u>	Order for Scheduling Order Proposal: Proposed Scheduling Order due by 9/4/2018. (Ordered by Magistrate Judge Renee Harris Toliver on 8/7/2018) (mcrd) (Entered: 08/08/2018)
08/08/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:13, 14. Wed Aug 8 08:42:21 CDT 2018 (crt) (Entered: 08/08/2018)
08/10/2018	<u>15</u>	SUMMONS Returned Executed as to National Personnel Records Center/Attorney General; served on 7/5/2018. (ndt) (Entered: 08/10/2018)
08/10/2018	<u>16</u>	SUMMONS Returned Executed as to United States Department of Justice/ US Attorney; served on 7/2/2018. (ndt) (Entered: 08/10/2018)

08/10/2018	<u>17</u>	SUMMONS Returned Executed as to National Personnel Records Center/US Attorney; served on 7/2/2018. (ndt) (Entered: 08/10/2018)
08/10/2018	<u>18</u>	SUMMONS Returned Executed as to National Personnel Records Center; served on 7/5/2018. (ndt) (Entered: 08/10/2018)
08/10/2018	<u>19</u>	SUMMONS Returned Executed as to United States Department of Justice/Attorney General; served on 7/3/2018. (ndt) (Entered: 08/10/2018)
08/27/2018	<u>20</u>	MOTION for 60-Day Extension of Time to file the Scheduling Proposal filed by Julian Okeyainneh (rekc) Modified on 8/27/2018 (rekc). (Entered: 08/27/2018)
08/27/2018	<u>21</u>	NOTICE of Change of Address for Pro Se litigant Julian Okeyainneh. New address: represented by Julian Okeyainneh #20515112 BOP Oakdale FCI PO Box 5010 Oakdale, LA 71463. (rekc) Modified Address on 8/28/2018 (svc). (Entered: 08/27/2018)
08/28/2018	<u>22</u>	ELECTRONIC ORDER granting in part <u>20</u> Plaintiff's Motion to Extend Time. Plaintiff's proposed scheduling order is due within 45 days of the date of this Order. (Ordered by Magistrate Judge Renee Harris Toliver on 8/28/2018) (chmb) (Entered: 08/28/2018)
08/29/2018	<u>23</u>	Proposal for contents of scheduling and discovery order by Julian Okeyainneh. (rekc) (Entered: 08/30/2018)
09/04/2018	<u>24</u>	Proposal for contents of scheduling and discovery order by National Personnel Records Center, United States Department of Justice. (Hasday-DOJ, Lisa) (Entered: 09/04/2018)
09/12/2018	<u>25</u>	Notice of parties' consents to proceed before the magistrate judge filed by Julian Okeyainneh, United States Department of Justice, National Personnel Records Center. (ctf) (Entered: 09/13/2018)
09/13/2018	<u>26</u>	ELECTRONIC ORDER – Before the Court is the Parties' Consent to Proceed Before the Magistrate Judge, filed on September 12, 2018. It appears the parties have consented in writing to trial of this case before a United States Magistrate Judge in accordance with the provisions of 28 U.S.C. § 636(c). It is therefore ORDERED by the Court that this case be, and it is hereby TRANSFERRED to United States Magistrate Judge Renee Harris Toliver to conduct all further proceedings and the entry of judgment in accordance with 28 U.S.C. § 636(c), with any appeal therefrom to be taken to the United States Court of Appeals for the Fifth Circuit in accordance with 28 U.S.C. § 636(c)(3). (Ordered by Judge Ed Kinkeade on 9/13/2018) (chmb) (Entered: 09/13/2018)
09/27/2018	<u>27</u>	ELECTRONIC ORDER GRANTING Doc. <u>11</u> Motion to Substitute Party. National Personnel Records Center is terminated as a party in this case. The Office of Personnel Management is substituted in its place as a defendant. (Ordered by Magistrate Judge Renee Harris Toliver on 9/27/2018) (chmb) (Entered: 09/27/2018)
09/27/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No.: NEF #27. Thu Sep 27 12:39:31 CDT 2018 (crt) (Entered: 09/27/2018)
09/27/2018	<u>28</u>	Plaintiff's First Set of Interrogatories to Defendants filed by Julian Okeyainneh. (epm) (Entered: 09/27/2018)
09/27/2018	<u>29</u>	Plaintiff's Request for Admission filed by Julian Okeyainneh. (epm) (Entered: 09/27/2018)
09/27/2018	<u>30</u>	Plaintiff's Request for Production filed by Julian Okeyainneh. (epm) (Entered: 09/27/2018)
10/01/2018	<u>31</u>	SCHEDULING ORDER: Joinder of Parties due by 12/4/2018. Amended Pleadings due by 12/4/2018. Discovery due by 2/4/2019. Motions due by 3/4/2019. (Ordered by Magistrate Judge Renee Harris Toliver on 10/1/2018) (epm) (Entered: 10/01/2018)
10/01/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:31. Mon Oct 1 14:50:02 CDT 2018 (crt) (Entered: 10/01/2018)

10/22/2018	<u>32</u>	MOTION for Protective Order <i>to Stay Discovery</i> filed by Office of Personnel Management, United States Department of Justice with Brief/Memorandum in Support. (Hasday–DOJ, Lisa) (Entered: 10/22/2018)
10/25/2018	<u>33</u>	AMENDED COMPLAINT against Office of Personnel Management, United States Department of Justice filed by Julian Okeayainneh. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: Attorney Information – Bar Membership . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Attachments: # <u>1</u> Exhibit(s) A – Z, # <u>2</u> Envelopes) (axm) (Entered: 10/26/2018)
10/25/2018	<u>34</u>	NOTICE of Plaintiff's First Set of Interrogatories to Defendants filed by Julian Okeayainneh. (axm) (Entered: 10/26/2018)
10/25/2018	<u>35</u>	NOTICE of Plaintiff's Request for Admission filed by Julian Okeayainneh. (axm) (Entered: 10/26/2018)
10/25/2018	<u>36</u>	NOTICE of Plaintiff's Request for Production filed by Julian Okeayainneh. (axm) (Entered: 10/26/2018)
10/25/2018	<u>37</u>	MOTION to Compel Filing of Served Paper filed by Julian Okeayainneh. (axm) (Main Document 37 replaced on 10/26/2018 to correct page rotation) (axm). (Entered: 10/26/2018)
11/02/2018	<u>38</u>	Amended Memorandum In Support of Judicial Notice of Adjudicative Facts Pursuance to Rule 201 filed by Julian Okeayainneh. (ndt) (Entered: 11/05/2018)
11/05/2018	<u>39</u>	NOTICE of Clarification of Service of Process filed by Julian Okeayainneh. (ndt) (Entered: 11/05/2018)
11/07/2018	<u>40</u>	MOTION to Strike <u>33</u> Amended Complaint, filed by Office of Personnel Management, United States Department of Justice with Brief/Memorandum in Support. (Hasday–DOJ, Lisa) (Entered: 11/07/2018)
11/14/2018	<u>41</u>	RESPONSE filed by Office of Personnel Management, United States Department of Justice re: <u>37</u> MOTION to Compel (Hasday–DOJ, Lisa) (Entered: 11/14/2018)
11/26/2018	<u>42</u>	MOTION for Leave to File Amended Complaint and for Leave to File Amended Complaint to State Additional Facts and Remedies and Reply to Defendant's Motion to Strike filed by Julian Okeayainneh (Attachments: # <u>1</u> Addendum to Amended Complaint) (ykp) (Entered: 11/26/2018)
11/26/2018	<u>43</u>	RESPONSE filed by Julian Okeayainneh re: <u>32</u> MOTION for Protective Order <i>to Stay Discovery</i> (ykp) (Entered: 11/26/2018)
11/26/2018	<u>44</u>	Addendum re: <u>38</u> Amended Memorandum In Support of Judicial Notice of Adjudicative Facts Pursuance to Rule 201 filed by Julian Okeayainneh (ykp) (Entered: 11/26/2018)
11/27/2018	<u>45</u>	Plaintiff's MOTION to Join Additional Parties–Defendant and Memorandum of Law in Support filed by Julian Okeayainneh (ykp) (Entered: 11/28/2018)
11/29/2018	<u>46</u>	MOTION for Clarification filed by Julian Okeayainneh. (epm) (Entered: 11/29/2018)
12/10/2018	<u>47</u>	REPLY filed by Office of Personnel Management, United States Department of Justice re: <u>32</u> MOTION for Protective Order <i>to Stay Discovery</i> (Hasday–DOJ, Lisa) (Entered: 12/10/2018)
12/13/2018	<u>48</u>	RESPONSE filed by Office of Personnel Management, United States Department of Justice re: <u>42</u> MOTION for Leave to File Amended Complaint and for Leave to File Amended Complaint to State Additional Facts and Remedies and Reply to Defendant's Motion to Strike (Hasday–DOJ, Lisa) (Entered: 12/13/2018)
12/13/2018	<u>49</u>	RESPONSE filed by Office of Personnel Management, United States Department of Justice re: <u>45</u> MOTION to Join Additional Parties (Hasday–DOJ, Lisa) Modified motion title on 12/14/2018 (mla). (Entered: 12/13/2018)

12/13/2018	<u>50</u>	ORDER granting <u>32</u> Motion for Protective Order; denying <u>37</u> Motion to Compel; granting <u>46</u> Motion for Clarification. Discovery is STAYED pending a ruling on Defendants' forthcoming dispositive motion. (Ordered by Magistrate Judge Renee Harris Toliver on 12/13/2018) (aaa) (Entered: 12/13/2018)
12/13/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No:50. Thu Dec 13 16:36:18 CST 2018 (crt) (Entered: 12/13/2018)
12/14/2018	<u>51</u>	ELECTRONIC ORDER GRANTING Doc. <u>42</u> <i>Motion for Leave to File an Amended Complaint</i> as unopposed. (Unless the document has already been filed, clerk to enter the document as of the date of this order.) (Ordered by Magistrate Judge Renee Harris Toliver on 12/14/2018) (chmb) (Entered: 12/14/2018)
12/14/2018	<u>52</u>	ELECTRONIC ORDER TERMINATING AS MOOT Doc. <u>40</u> <i>Defendants' Motion to Strike Amended Complaint</i> . (Ordered by Magistrate Judge Renee Harris Toliver on 12/14/2018) (chmb) (Entered: 12/14/2018)
12/14/2018	<u>53</u>	AMENDED COMPLAINT against Office of Personnel Management, United States Department of Justice filed by Julian Okeyainneh. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (aaa) (Entered: 12/14/2018)
12/17/2018	<u>54</u>	Motion for Extension of Time to File Answer to <i>Plaintiff's First Amended Complaint</i> filed by Office of Personnel Management, United States Department of Justice (Hasday–DOJ, Lisa) (Entered: 12/17/2018)
12/18/2018	<u>55</u>	ELECTRONIC ORDER GRANTING Doc. <u>54</u> <i>Defendants' Motion for Extension of Time to File Answer or Otherwise Plead</i> . Defendants' answer or other responsive pleading is due by 1/11/2019. (Ordered by Magistrate Judge Renee Harris Toliver on 12/18/2018) (chmb) (Entered: 12/18/2018)
12/28/2018	<u>56</u>	Order Granting Government's Omnibus Motion for Stay of Cases in Light of Lapse of Appropriations (Ordered by Chief Judge Barbara M.G. Lynn on 12/28/2018) (Attachments: # <u>1</u> Government's Omnibus Motion for Stay) (irl) (Entered: 12/28/2018)
12/28/2018		***Clerk's Notice of delivery: (see NEF for details) Docket No: <u>56</u> . Fri Dec 28 13:51:57 CST 2018 (crt) Modified on 12/28/2018 (ewd). (Entered: 12/28/2018)
01/28/2019	<u>57</u>	ORDER GRANTING GOVERNMENT'S OMNIBUS MOTION FOR LIFT OF STAY: Unless otherwise directed by the United States District Judge presiding in a particular case, all deadlines that had not expired on or before December 21, 2018 in a case covered by the stay order are extended for 34 days (i.e., the duration of the lapse in appropriations for the Department of Justice). (Ordered by Chief Judge Barbara M.G. Lynn on 1/26/2019) (Attachments: # <u>1</u> Additional Page(s) Omnibus Motion to Lift Stay) (ctf) (Entered: 01/28/2019)
01/28/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:57. Mon Jan 28 11:54:48 CST 2019 (crt) (Entered: 01/28/2019)
02/14/2019	<u>58</u>	ANSWER to <u>53</u> Amended Complaint filed by Office of Personnel Management, United States Department of Justice. Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. Forms, instructions, and exemption information may be found at www.txnd.uscourts.gov , or by clicking here: <u>Attorney Information – Bar Membership</u> . If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge. (Hasday–DOJ, Lisa) (Entered: 02/14/2019)
03/20/2019	<u>59</u>	ELECTRONIC ORDER: In light of the District Judge's <i>Order Granting Government's Omnibus Motion for Lift of Stay</i> , Doc. <u>57</u> , the Court resets the following deadlines. Amended Pleadings are due by <u>4/12/2019</u> . Joinder of Parties is due by <u>4/12/2019</u> . Motions (including dispositive motions) are due by <u>4/26/2019</u> . (Ordered by Magistrate Judge Renee Harris Toliver on 3/20/2019) (chmb) (Entered: 03/20/2019)
03/20/2019		***Clerk's Notice of delivery: (see NEF for details) Docket No:59. NEF Wed Mar 20 16:24:05 CDT 2019 (crt) (Entered: 03/20/2019)

04/26/2019	<u>60</u>	MOTION for Summary Judgment filed by Office of Personnel Management, United States Department of Justice (Hasday–DOJ, Lisa) (Entered: 04/26/2019)
04/26/2019	<u>61</u>	Brief/Memorandum in Support filed by Office of Personnel Management, United States Department of Justice re <u>60</u> MOTION for Summary Judgment (Hasday–DOJ, Lisa) (Entered: 04/26/2019)
04/26/2019	<u>62</u>	Appendix in Support filed by Office of Personnel Management, United States Department of Justice re <u>61</u> Brief/Memorandum in Support of Motion (Hasday–DOJ, Lisa) (Entered: 04/26/2019)
05/16/2019	<u>63</u>	Combined Cross–Motion for Partial Summary Judgment and Opposition to the Defendant's Motion for Summary Judgment filed by Julian Okeayainneh. (aaa) (Entered: 05/17/2019)
05/16/2019	<u>64</u>	Memorandum in Support filed by Julian Okeayainneh re <u>63</u> MOTION for Summary Judgment. (aaa) (Entered: 05/17/2019)
05/16/2019	<u>65</u>	Appendix in Support filed by Julian Okeayainneh re <u>64</u> Brief/Memorandum in Support of Motion. (aaa) (Entered: 05/17/2019)
05/16/2019	<u>66</u>	Plaintiff's Statement of Material Facts In Dispute filed by Julian Okeayainneh. (aaa) (Entered: 05/17/2019)
05/16/2019	<u>67</u>	Plaintiff's Statement of Material Facts Not In Dispute filed by Julian Okeayainneh. (aaa) (Entered: 05/17/2019)
05/20/2019	<u>68</u>	Combined Cross–MOTION for Partial Summary Judgment and Opposition filed by Julian Okeayainneh. (aaa) (Entered: 05/21/2019)
05/20/2019	<u>69</u>	(Duplicate) Brief/Memorandum in Support filed by Julian Okeayainneh re <u>68</u> MOTION for Summary Judgment. (aaa) (Entered: 05/21/2019)
05/20/2019	<u>70</u>	(Duplicate) Appendix in Support filed by Julian Okeayainneh re <u>69</u> Brief/Memorandum in Support of Motion. (aaa) (Entered: 05/21/2019)
05/20/2019	<u>71</u>	(Duplicate) Plaintiff's Statement of Material Facts Not In Dispute filed by Julian Okeayainneh. (aaa) (Entered: 05/21/2019)
05/20/2019	<u>72</u>	(Duplicate) Plaintiff's Statement of Material Facts In Dispute filed by Julian Okeayainneh. (aaa) (Entered: 05/21/2019)
05/30/2019	<u>73</u>	REPLY filed by Office of Personnel Management, United States Department of Justice re: <u>60</u> MOTION for Summary Judgment (Hasday–DOJ, Lisa) (Entered: 05/30/2019)
06/13/2019	<u>74</u>	Response filed by Julian Okeayainneh in Support of his Reply Brief for Defendants' <u>60</u> MOTION for Summary Judgment. (zkc) (Entered: 06/13/2019)